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FILED  
JAN - 5 2012  
*M. S. Dhillon*  
CLERK OF THE  
INDIANA SUPREME COURT  
COURT OF APPEALS  
AND TAX COURT

V.

Trial Court Cause No.  
45D03-1106-CC-00484

Relator, by counsel, filed a verified petition for writ of mandamus and prohibition and other application papers under the Original Action Rules. Relator seeks a writ requiring the Respondents to grant Relator's motion for change of judge under Trial Rule 76. Responses opposing issuance of the writ have been filed.

Each member of the Court has had an opportunity to review and consider the materials filed in this original action. All five Justices have voted to deny the writ. Accordingly, the Court DENIES Relator's petition for a writ of mandamus and prohibition. This order is final. Motions to reconsider or petitions for rehearing are not allowed. Ind. Original Action Rule 5(C).

The Clerk is directed to send a copy of this order to the Hon. Elizabeth F. Tavit, Judge, Lake Superior Court, Civil Division, Room 3; Larry G. Evans and Michael L. Meyer, 1000 E. 80th Place, 6th Floor South, P.O. Box 10627, Merrillville, IN 46410; James L. Wieser and Randy H. Wyllie, 429 W. Lincoln Highway, Schererville, IN 46375; Gregory F. Zoeller, Attorney General of Indiana; and Andrew Kobe, Deputy Attorney General. The Clerk is also directed to post this order to the Court's website.

Done at Indianapolis, Indiana, this 5<sup>th</sup> day of January, 2012.

RT Shepard  
Randall T. Shepard  
Chief Justice of Indiana

Shepard, C.J., and Dickson, Sullivan, Rucker, and David, JJ., vote to deny the writ.